

Please type a plus sign (+) inside this box →

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paper Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

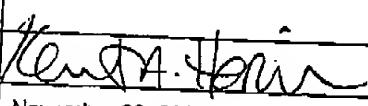
		Application Number	09/900,555
		Filing Date	Jul 6, 2001
		First Named Inventor	
		Group Art Unit	1651
		Examiner Name	Patricia A. Patten
Total Number of Pages In This Submission		Attorney Docket Number	4532660/19270 (KEM46)

ENCLOSURES (check all that apply)

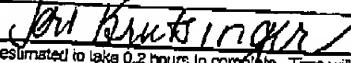
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached Amendment / Reply After Final Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request Express Abandonment Request <input checked="" type="checkbox"/> Response to Restriction Requirement Certified Copy of Priority Document(s) Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53	Assignment Papers (for an Application) Drawing(s) Licensing-related Papers Petition Petition to Convert to a Provisional Application Power of Attorney, Revocation Change of Correspondence Address Terminal Disclaimer Request for Refund CD, Number of CD(s)	After Allowance Communication to Group Appeal Communication to Board of Appeals and Interferences Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) Proprietary Information Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below) Return Postcard
Remarks		

LAST AVAILABLE COPY

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Kent A. Herink		
Signature			
Date	November 26, 2002		

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on this date:			11/26/02
Type or printed name	Jeri Krutsinger		
Signature			
Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.	Date	November 26, 2002	

DAVIS, BROWN, KOEHN, SHORS & ROBERTS, P.C.
666 Walnut Street, Suite 2500
Des Moines, Iowa 50309
tel (515) 288-2500
fax (515) 243-0654

fax transmittal

to: Examiner Patten

fax #: 703-746-5305

from: Kent Herink

date: April 4, 2003

re: Serial No. 09/900,555

pages: 10, including this cover sheet

NOTES:

BEST AVAILABLE COPY

The documents accompanying this fax transmission contain confidential information belonging to the sender. This information may be legally privileged. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on or regarding the contents of this faxed information is strictly prohibited. If you have received this fax in error, please notify us immediately by telephone to arrange for return of the original documents to us.

DAVIS, BROWN, KOEHN, SHORS & ROBERTS, P.C.

Attorneys and Counselors at Law

The Financial Center
666 Walnut Street, Suite 2500
Des Moines, Iowa 50309-3993
Fax: (515) 243-0654

Telephone: (515) 286-2500
Web: www.lawiowa.com

4201 Westown Parkway
Suite 300
West Des Moines, Iowa 50266
Fax: (515) 246-7997

William J. Koehn	Patricia A. Shoff
John D. Shors	Susan L. Nelson
Stephen W. Roberts	David B. VanSickle
William R. King	Gene R. LaSuer
Robert F. Holz, Jr.	Deborah M. Tharath
Dennis D. Jerde	Kent A. Herink
Robert A. Gamble	Robert J. Douglass, Jr.
Michael G. Kivik	Nicholas H. Roby
F. Richard Thornton	Mark D. Walz
Thomas E. Salaberry	Gary M. Myers
Frank J. Correll	Stanley J. Thompson
Bruce J. Campbell	David A. Task
Jonathan C. Wilson	David M. Erickson

Lori Torgerson Chesser	Scott M. Brennan
Jo Ellen Whitney	Debra Reetenbaugh Felic
Becky S. Krutzen	Denise R. Clinton
Jolie Johnson McLennan	Melissa E. Laughlin
Beverly Evans	Judith R. Lynn Boes
M. Daniel Walters	Daniel A. Rosenberg
Christopher P. James	William P. Kelly
Sharon K. Malheiro	Daniel M. Weddle
Kris Hobub Tilley	Susan J. Preed
William A. Boatwright	Liam L. Ash
Thomas J. Houwer	Stacia D. Flynn
Kendall R. Watkins	Bethmar Souza

Matthew L. Palmer	Donald J. Brown
Justin M. Stone	David W. Dunn
Amy M. Landwehr	C. Curleton Frederici
Joseph M. Pawlosky	A. J. Greffnerius
John C. Piclak	Richard E. Ranney
Jaceen M. Raus	Neal Smith
"Licensed to Practice only in Wisconsin"	Diane M. Stahl
	William D. Thomas Of Counsel
	A. Arthur Davis 1928-1997

	Donald J. Brown
	David W. Dunn
	C. Curleton Frederici
	A. J. Greffnerius
	Richard E. Ranney
	Neal Smith
	Diane M. Stahl
	William D. Thomas Of Counsel
	A. Arthur Davis 1928-1997

April 4, 2003

BY FACSIMILE: 703-746-5305 Attention: Examiner Patten

Assistant Commissioner for Patents
Washington, D.C. 20231

Re: Serial No. 09/900,555
Filed July 6, 2001

Dear Sir:

Attached is a full, complete and accurate copy of the Response to Restriction Requirement, Fee Transmittal form requesting a one-month extension of time, Transmittal Form, check stub for the extension fee and postcard, all of which were filed November 26, 2002, as well as a copy of the returned postcard stamped as received by the USPTO on December 3, 2002. Also enclosed is a copy of the original Office Action mailed September 26, 2002, which made the restriction requirement. These documents establish that the Response to Restriction Requirement was timely filed within the one-month extension period.

Sincerely yours,

DAVIS, BROWN, KOEHN, SHORS & ROBERTS, P.C.

Kent A. Herink

KAH
Enclosures

BEST

COPY

HJB
4/8/03

PTO/SB/17 (11-01)

Approved for use through 10/31/2002, OMB 0851-0032
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

Applicant Claims small entity status. See 37 CFR 1.27
TOTAL AMOUNT OF PAYMENT (\$ 110.00)

Complete if Known

Application Number	09/900,555
Filing Date	7/6/2001
First Named Inventor	
Examiner Name	Patricia Patten
Group Art Unit	1651
Attorney Docket No.	4532660/19270

METHOD OF PAYMENT (check all that apply)

Check Credit card Money Order Other None

 Deposit Account

Deposit Account Number	12-2250
Deposit Account Name	Davis, Brown, Koehn, Shars & Roberts, P.C.

The Commissioner is authorized to: (check all that apply)
 Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) during the pendency of this application
 Charge fee(s) indicated below, except for the filing fee
 to the above-identified deposit account.

FEE CALCULATION**1. BASIC FILING FEE**

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
101 740	201 370	Utility filing fee	
106 330	206 165	Design filing fee	
107 510	207 255	Plant filing fee	
108 740	208 370	Reissue filing fee	
114 180	214 80	Provisional filing fee	

SUBTOTAL (1) (\$)**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	- 20 th -	Extra Claims	Fees from below	Fee Paid
Independent Claims	- 3 rd -	X	=	
Multiple Dependent		X	=	

Large Entity**Small Entity**

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
103 18	203 9	Claims in excess of 20	
102 84	202 42	Independent claims in excess of 3	
104 260	204 140	Multiple dependent claim, if not paid	
109 84	209 42	**Reissue independent claims over original patent	
110 18	210 9	**Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$)

* or number previously paid, if greater. For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity	Small Entity	Fee	Fee Description	Fee Paid
105	130	205	65 Surcharge - late filing fee or oath	
127	60	227	25 Surcharge - late provisional filing fee or cover sheet	
138	130	139	130 Non-English specification	
147	2,520	147	2,520 For filing a request for ex parte reexamination	
112	920*	112	920* Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840* Requesting publication of SIR after Examiner action	
115	110	215	55 Extension for reply within first month	110.00
116	400	216	200 Extension for reply within second month	
117	920	217	480 Extension for reply within third month	
118	1,440	218	720 Extension for reply within fourth month	
119	320	219	980 Extension for reply within fifth month	
120	320	220	160 Notice of Appeal	
121	280	221	160 Filing a brief in support of an appeal	
138	1,510	138	1,510 Petition to institute a public use proceeding	
140	110	240	55 Petition to revive - unavoidable	
141	1,280	241	840 Petition to revive - unintentional	
142	1,280	242	840 Utility issue fee (or reissue)	
143	480	243	230 Design issue fee	
144	620	244	310 Plant issue fee	
122	130	122	130 Petitions to the Commissioner	
123	50	123	50 Processing fee under 37 CFR 1.17(q)	
126	180	128	180 Submission of Information Disclosure Stmt	
581	40	581	40 Recording each patent assignment per property (times number of properties)	
148	740	248	370 Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370 For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370 Request for Continued Examination (RCE)	
189	900	168	900 Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$110.00)

Name (Print/Type)	Kent A. Herink	Registration No. (Attorney/Agent)	31025	Complete if applicable
Signature	<i>Kent A. Herink</i>			
		Telephone	515-288-2500	
		Date	11/26/02	

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-203B.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments or the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231.
DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

APR. 4 2003 2:03PM '03, SHORS & ROBERTS, P.C.

NO. 158 P.6

No.

211168

DATE	INVOICE NO.	REFERENCE	AMOUNT
11/26/02	117866	4532660/19270/JERI	110.00

ASST. COMM. OF PATENTS & TRADEMARKS

TOTAL \$110.00

DAVIS, BROWN, KOEHN, SHORS & ROBERTS, P.C.

No. 211168

DATE	INVOICE NO.	REFERENCE	AMOUNT
11/26/02	117866	4532660/19270/JERI	110.00

BEST AVAILABLE COPY

ASST. COMM. OF PATENTS & TRADEMARKS

TOTAL \$110.00

November 26, 2002

Receipt of the following is hereby acknowledged by the United States
Patent and Trademark Office mailroom stamp hereon:

Applicant: Kemin Food, L.C.
Our File No.: 4532660/1920 (KEM 46)
Serial No.: 09/900,555
Enc: Transmittal Sheet, Fee Transmittal, Extension of
Time, Check and Return Postcard